REMARKS

The Examiner's rejection of Claims 1-3 and 5-7 under Section 102(b) as being anticipated by Walgren is respectfully traversed. The Walgren tooth is a component of a chain assembly titled "Chain For Trencher Apparatus". The Walgren tooth is welded to a plate 32, which in turn is welded to a pair of chain links 11A and 12A. The present invention is a removable tooth. Typically, trencher teeth are worn out three times as fast as the chain links and in Walgren this is an obvious disadvantage. Walgren's tooth and link assembly is not usable on conventional trencher chains, which are commonly used in the industry.

Claim 1 defines a "removable" tooth having a

"planar mounting portion that attaches to the chain..."

Walgren's "planar mounting portion" is a chain link wherein applicant's mounting portion is a portion of the tooth.

Applicant's tooth attaches by fasteners to the chain itself and doesn't require additional mounting plates 36 and 11A and 12A, as required by Walgren.

Applicant's planar mounting portion of its tooth permits the tooth to be mounted on either side of the chain as well as on both the inside surface of the chain or the outside surface of the chain, as shown in Figure 7, thus permitting six different lateral positions on the chain so that each tooth cuts through a different slice of the ground. This versatility in tooth position permits various width trenches to be dug with the same chain with the teeth repositioned on the chain. Walgren's tooth design and supporting structure permits only a single width trench.

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Claim 1, as now amended, defines the junction line "in a vertical plane", which further defines over the junction line in Walgren, which in a vertical plane is parallel to the direction of movement of the chain.

Walgren's cutting edge 35 is rearwardly canted (see Column 4, Line 67), while applicant's is normal to the chain's movement.

Line 9 of Claim 1 calls for the cutting portion "having convex surfaces on both sides of the cutting portion." The Examiner's conclusion that cutting edge 35 has convex surfaces on both sides is not supported in the specification. Figures 3A and 3B support the contention that cutting edge 35 does not have a convex surface on either side thereof. The reference to edge 35 as a "cutting edge" would indicate the adjacent surfaces of bit 33 are planar rather than convex. Applicant's Claim 1, Line 10 calls for the cutting portion of the tooth "having convex surfaces on both sides of the cutting portion." As such, convex surfaces are not taught in Walgren and the Examiner's conclusion that the opposite sides of cutting edge 35 are convex-shaped is not supported in the specification and drawings.

The "junction line" of Claim 1 is clearly defined as between the mounting portion and the cutting portion of the tooth. Walgren's tooth 31 is welded to various other plates 36 and 11A and 12A, none of which are considered part of the tooth itself, but rather links in the chain.

With respect to Claim 2, which calls for "the cutting edge of the tooth has a constant bevel along its length of between 45° and 60°", "beveled" surfaces indicate planar surfaces with an angle therebetween. The Examiner's reading of cutting edge 35 being a continuous convex surface is certainly inconsistent with "beveled" surfaces.

As to Claim 3, the Examiner's statement that tooth 31 can be used at opposite outer sides of the trencher chain is unsupported in the patent. Walgren's teeth are welded in place

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and are not removable and certainly they are not movable to opposite sides of the trencher chain.

Claim 5 is patentable for reasons stated regarding Claim 1 stated above.

Regarding amended Claim 7, the "junction line" is now defined in a vertical plane, which is clearly defined over Walgren where the junction line in a vertical plane is parallel with the direction of the movement of the chain.

The application appears to be in condition for allowance.

Respectfully submitted,

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